

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3651 of 1997

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PRECISION BRIGHT STEEL INDUSTRIES

Versus

STATE OF GUJARAT  
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Appearance:

MR GM JOSHI for Petitioner

MR SJ DAVE AGP for Respondent No. 1

DS AFF.NOT FILED (N) for Respondent No. 2  
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CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 26/07/1999

ORAL JUDGEMENT

1. This petition arises from orders passed under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976.

2. It is common ground on both sides that the State of Gujarat adopted the Urban Land (Ceiling & Regulation) Repeal Act, 1999 on 30th March, 1999.

3. It is also common ground on both sides that by virtue of section 4 of the Repeal Act, all proceedings pending on the said date shall abate.

4. It is so found and accordingly held, and the present petition is disposed off accordingly.

5. Learned AGP states on instructions that the State of Gujarat will abide by the Circular issued by the State Government in the Revenue Department No. ULC/1099-602/V1 dated 15th April, 1999.

6. Rule is accordingly discharged with no order as to costs. Interim relief, if any, stands vacated.

7. It merely requires to be noted that the

petitioners have approached the High Court by way of the present petition with a grievance that although their application under section 20 at Annexure:C to the petition was pending, the respondent authorities are attempting to proceed further under the Act without dealing with the said application on merits. In this context, the record of the proceedings indicates that from 7th May, 1997, this Court has granted the status quo order qua the land in question and that therefore, no further proceedings under the Act could have been taken. However, Mr. Dave, learned AGP for the first respondent orally states that the proceedings have continued only upto the stage of issuance of notification under section 10(3), but no further proceedings under section 10(5) or 10(6) have been taken. Obviously therefore, even if we accept the oral statement of learned counsel for the first respondent, it would appear that the petitioner is in possession of the land in question.

(Y.B. BHATT, J.)

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